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March 29, 2005

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TO: Examiner B. Fischmann
FIRM: United States Patent and Trademark Office
FACSIMILE NO.: (703) 872-9306
FROM: Glen L. Nuttall
DATE: March 29, 2005

OUR REF.: DAREDEV.018RA
Serial No.: 09/669,869
OPERATOR: Carla Alcantara
NO. OF PAGES: 22 (incl. cover sheet)

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MESSAGE: Enclosed for filing is an Information Disclosure Statement along with three references.

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MAR 29 2005

Docket No.: DAREDEV.018RA

March 29, 2005

Page 1 of 1

Please Direct All Correspondence to Customer Number 20995**TRANSMITTAL LETTER
INFORMATION DISCLOSURE STATEMENT**

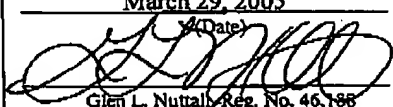
Applicant : Wilder, et al.
App. No : 09/669,869
Filed : September 21, 2000
For : SKATE CHASSIS HAVING A-FRAME
CONSRTUCTION
Examiner : B. Fischmann
Art Unit : 3618

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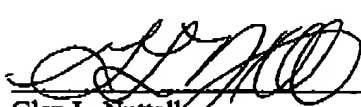

Glen L. Nuttall, Reg. No. 46,188

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) An Information Disclosure Statement and PTO/SB/08 equivalent listing references for consideration:
- (X) Listing 3 references.
 - (X) Enclosing 3 references.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.


Glen L. Nuttall
Registration No. 46,188
Attorney of Record
Customer No. 20,995
(949) 760-04041523733_1
032905

MAR 29 2005

Docket No.: DAREDEV.018RA

Customer No. 20,995

INFORMATION DISCLOSURE STATEMENT

Applicant	:	Wilder, et al.
App. No.	:	09/669,869
Filed	:	September 21, 2000
For	:	SKATE CHASSIS HAVING A-FRAME CONSTRUCTION
Examiner	:	B. Fischmann
Group Art Unit	:	3618

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed is form PTO/SB/08 listing three references, each of which is also enclosed.

This Information Disclosure Statement is being filed under 37 C.F.R. § 1.97(c)(2) before the mailing date of a final action and before the mailing of a Notice of Allowance. This Statement is accompanied by the fees set forth in 37 C.F.R. § 1.17(p). The Commissioner is hereby authorized to charge any additional fees which may be required or to credit any overpayment to Account No. 11-1410.

In accordance with M.P.E.P. §§ 1442.04 and 2001.06(c), Applicants hereby inform the Patent Office that U.S. Patent No. 5,810,369, which is the parent patent upon which the present reissue application is based, was the subject of a previous lawsuit. Mission Hockey Company, which is the owner by assignment of the '369 patent and the present application, filed suit against The Hockey Company Inc. on May 3, 2002 alleging infringement of the '369 patent. The suit was filed in the U.S. District Court for the Central District of California, Southern Division, and was assigned Civil Action No. SACV 02-446 AHS. The parties negotiated a settlement, and the lawsuit was dismissed on November 22, 2002.

Appl. No. : 09/669,869
Filed : September 21, 2000

Docket No. DAREDEV.018RA
Customer No. 20,995

In the lawsuit, the Defendant produced several patents that it alleged were prior art to the '369 patent. Applicants disclosed each of these patents to the Patent Office in an Information Disclosure Statement filed December 13, 2002, excepting U.S. Pat. No. 593,278, which was not submitted due to an apparent oversight, and which is submitted herewith.

Applicants also submit herewith two documents from the lawsuit: 1) the "Initial Disclosures" of the Defendant; and 2) the "Joint Report" of the parties. In Section IV of the Joint Report, the Defendant refers to a chassis it allegedly developed with another company. In paragraph B.1. of the Initial Disclosures, the Defendant refers to documents concerning a skate developed with Sure Grip International. Applicants' understanding is that the "Sure Grip" skate is the same as that referred to in the Joint Report.

The Defendant produced documents accompanying the Initial Disclosures, which documents apparently relate to its claims concerning the "Sure Grip" skate. All of these documents were submitted to the Patent Office in the Information Disclosure Statements filed on December 13, 2002 and October 9, 2003, and all of these documents have been considered by the Examiner. In fact, the Examiner made a rejection based upon documents submitted in these Information Disclosure Statements, and Applicants submitted a declaration and corroborative evidence to overcome the rejection.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 3/29/05

By: 

Glen L. Nuttall
Registration No. 46,188
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Customer No. 20,995
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032905

PTO/SB/08 Equivalent

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Multiple sheets used when necessary)	Application No.	09/669,869
	Filing Date	September 21, 2000
	First Named Inventor	Wilder, et al.
	Art Unit	3618
SHEET 1 OF 1		Attorney Docket No. DAREDEV.018RA

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	1	593,278	11/09/1897	Moulton	

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No.	Foreign Patent Document Country Code-Number-Kind Code Example: JP 1234567 A1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ¹

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ¹
	2	Joint Report Pursuant to Fed. R. Civ. P. 26(f) and L.R. 26-1; Discovery Plan and Scheduling Order in 7 pages.	
	3	Initial Disclosures of Defendant the Hockey Company Under Rule 26(a)(1), Fed. R. Civ. P. in 6 pages.	

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Examiner Signature	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

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